

ent 71
about 2 to 10, wherein the emulsifier component is present in an amount of about 2.2 to 6 percent by weight of the confectionery product

ent B,
3. (Amended) A chocolate composition comprising an emulsifier component having a melting point from about 50 to 90°C and a hydrophilic lipophilic balance value from about 2 to 10, wherein the emulsifier component comprises at least one of a diacetyltartaric acid ester of monoglycerides, mono- and diglycerides of vegetable oils, partially hydrogenated monoglycerides, or fully hydrogenated monoglycerides.

ent B,
7. (Amended) A chocolate composition comprising an emulsifier component having a melting point from about 60 to 90°C and a hydrophilic lipophilic balance value from about 2 to 10, wherein the chocolate composition substantially maintains its structure up to a temperature of at least about 36°C.

8. (Amended) The chocolate composition of claim 7, wherein the chocolate composition substantially maintains its structure up to a temperature of at least about 45°C.

ent B,
9. (Amended) A method of manufacturing a chocolate composition that maintains its structure at elevated temperatures comprising:
combining the ingredients to make a chocolate;
adding to the chocolate an emulsifier component comprising at least one of a diacetyltartaric acid ester of monoglycerides, sorbitan esters, mono- and diglycerides of vegetable oils, partially hydrogenated monoglycerides, fully hydrogenated monoglycerides, or sugar esters, the emulsifier component having a melting point from about 50 to 90°C and hydrophilic/lipophilic balance value of about 2 to 10;
mixing the chocolate and emulsifier component to sufficiently distribute the emulsifier component throughout the chocolate and provide a chocolate composition that is a mixture of chocolate and emulsifier component;
warming the chocolate composition to a temperature sufficient to inhibit or prevent the emulsifier component from crystallizing; and
allowing the mixture to cool and set to form a stable chocolate composition.

B³ 13. (Amended) A food product comprising a liquid oil and an emulsifier component having a melting point from about 60 to 90°C and a hydrophilic lipophilic balance value of about 2 to 10, wherein the liquid oil is present in an amount of about 10 to 60 weight percent of the food product and the emulsifier is present in an amount of about 0.5 to 15 weight percent of the liquid oil, and wherein the emulsifier component comprises at least one of a diacetyltartaric acid ester of a monoglyceride, sorbitan ester, mono- or diglycerides of a vegetable oil, a partially hydrogenated monoglyceride, a fully hydrogenated monoglyceride, or sugar ester.

B⁴ 15. (Amended) A food product comprising a liquid oil and an emulsifier component having a melting point from about 60 to 90°C and a hydrophilic lipophilic balance value of about 2 to 10, wherein the liquid oil is present in an amount of about 10 to 60 weight percent of the food product and the emulsifier is present in an amount of about 0.5 to 15 weight percent of the liquid oil, and wherein the ratio of liquid oil to emulsifier component is about 10:2 to about 10:05

B⁵ 17. (Amended) The food product of claim 13, wherein the emulsifier component comprises a monoglyceride having a carbon side chain of at least 16 carbons.

B⁶ 22. (Amended) The chocolate composition of claim 7, wherein the emulsifier component is present in an amount of about 1 to 6 percent by weight of the confectionery product.

B⁷ 25. (Amended) The chocolate composition of claim 7, wherein the emulsifier component comprises at least one of a diacetyltartaric acid ester of monoglycerides, sorbitan esters, mono- and diglycerides of vegetable oils, partially hydrogenated monoglycerides, fully hydrogenated monoglycerides, or sugar esters.

26. (Amended) The chocolate composition of claim 15, wherein the emulsifier component comprises at least one of a diacetyltartaric acid ester of monoglycerides, sorbitan esters, mono- and diglycerides of vegetable oils, partially hydrogenated monoglycerides, fully hydrogenated monoglycerides, or sugar esters.

Please add the following new claims:

27. (New) The food product of claim 13, wherein the liquid oil comprises palm oil, palm kernel oil, coconut oil, cocoa butter, babassu oil, milk fat, soybean oil, corn oil, canola oil, rapeseed oil, sesame oil, sunflower oil, safflower oil, peanut oil, oils resulting from the fractionation or hydrogenation thereof, and mixtures thereof.

28. (New) The food product of claim 13, wherein the food product comprises at least one of a creamer, dough, bouillon base, confectionery coating or center, or ice cream.

29. (New) A method of manufacturing a chocolate composition that maintains its structure at elevated temperatures comprising:
combining the ingredients to make a chocolate;
adding to the chocolate an emulsifier component having a melting point from about 60 to 90°C and a hydrophilic lipophilic balance value from about 2 to 10;
mixing the chocolate and emulsifier component to sufficiently distribute the emulsifier component throughout the chocolate and provide a chocolate composition that is a mixture of chocolate and emulsifier component;
warming the chocolate composition to a temperature sufficient to inhibit or prevent the emulsifier component from crystallizing; and
allowing the mixture to cool and set to form a stable chocolate composition;
wherein the stable chocolate composition substantially maintains its structure up to a temperature of at least about 36°C.

REMARKS

Claims 1-15, 17, 19-20 and 22-26, as amended, and new claim 27-29 are presented herewith for the Examiner's review and consideration. Claims 16 and 21 have been cancelled, claims 1-3, 7-9, 13, 15, 17, 22, 25 and 26 have been amended, and new claims 27-29 have been added herein. The new and amended claims are supported by the original claims and specification as filed and add no new matter, so that their entry at this time is warranted. The amendments and new claims are explained below and a marked-up copy of the amendments appears in Appendix A. Also, a complete set of all pending claims appears in Appendix B.